

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ISAIAH ANTHRIN BICKHAM, *also*  
*known as Isaiah Bickham,*

Plaintiff,

vs.

WARDEN ORLANDO L. HARPER, *et*  
*al.,*

Defendants.

Civil Action No. 2:22-254

United States District  
Judge Cathy Bissoon

United States Magistrate Judge  
Maureen P. Kelly

**MEMORANDUM ORDER**

This case has been referred to United States Magistrate Judge Maureen P. Kelly for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Local Rule of Civil Procedure 72.

On October 13, 2022, Judge Kelly issued a Report (“R&R,” Doc. 14) recommending that the Court dismiss Plaintiff’s Complaint (Doc. 1) under Federal Rule of Civil Procedure 41(b) for failure to prosecute. Service of the R&R was made on the parties of record, and no objections were filed.

After a review of the pleadings and documents in the case, together with the R&R, it hereby is **ORDERED** that Plaintiff’s Complaint (Doc. 1) is **DISMISSED** for failure to prosecute, and the Magistrate Judge’s R&R (Doc. 14) is adopted as the Opinion of the District Court, with the exception that the dismissal shall be **WITH PREJUDICE**.<sup>1</sup>

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<sup>1</sup> Although the Magistrate Judge recommends dismissal without prejudice (Doc. 14, at 4), the Court believes, based on its review of the record, including the Poulis factors, that a dismissal with prejudice is appropriate and therefore orders the same. *See, e.g., Bush v. Butler Cnty. Prison*, No. 13cv0218, 2013 WL 5436952, at \*4 (W.D. Pa. Sept. 27, 2013); Fed. R. Civ. P. 41(b).

This action shall be marked CLOSED.

IT IS SO ORDERED.

January 19, 2023

s/Cathy Bissoon  
Cathy Bissoon  
United States District Judge

cc (via U.S. Mail):

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